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**RESPONSE UNDER 37 CFR §1.116  
EXPEDITED PROCEDURE REQUESTED  
GROUP 1652**

Attorney Docket :  
032301 WN 216

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of:	)	<b>Confirmation No. 8953</b>
	)	
<b>Brigitte Bathe, et al.</b>	)	Examiner: Kathleen Kerr
	)	
App. No.: 09/942,935	)	Group Art Unit: 1652
	)	
Filed: August 31, 2001	)	

For: NUCLEOTIDE SEQUENCES CODING FOR THE sigM GENE

**AFTER-FINAL AMENDMENT UNDER 37 C.F.R. §1.116**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

A response to the Office Action dated July 1, 2004 is due by October 1, 2004.

Therefore, please accept this Amendment as timely filed.

For the purpose of placing the above-captioned application in immediate condition for allowance, or alternatively, in better form for appeal, Applicants respectfully request entry and consideration of this Amendment under 37 C.F.R. §1.116.

In response to the Office Action dated July 1, 2004, kindly amend the above-identified patent application as follows.